IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

LETTERS PATENT APPEAL NO.108 OF 2007
IN
WRIT PETITION NO.1640 OF 2007

WITH

CIVIL APPLICATION NO.102 OF 2007

Vishwanath Shivlingappa Alange ...Appellant
V/s.
Sharanappa Gurulingappa Madarki & Anr. ...Respondents

Mr.R.M. Khiradi i/b. R.S. Alinge, Advocate, for the Appellant.

None for the Respondents.

AND

LETTERS PATENT APPEAL NO.109 OF 2007
IN
WRIT PETITION NO.1336 OF 2007

WITH

CIVIL APPLICATION NO.103 OF 2007

[NOT ON BOARD. MENTIONED. TAKEN UP ON BOARD]

Vishwanath Shivlingappa Alange ...Appellant
V/s.
Shivsharan Shivbal Havale ...Respondent

Mr.R.S. Alange, Advocate, for the Appellant.

CORAM : J.N. PATEL &
A.A. SAYED, JJ.

DATE : 11TH JUNE, 2007.

P.C. :

1. Heard.

2. The Appellant-landlord is aggrieved by the decision of the learned Single Judge who modified the order of the Trial Court which imposes certain conditions like furnishing security of Rs.2 lacs and depositing amount of Rs.5,000/- per month towards rental charges at market rate.

3. In our view it was not proper on the part of the Trial Court to have passed such an interlocutory order when the enquiry into future mesne profit was to be made and, therefore, the learned Single Judge was justified in modifying the impugned order. Therefore, we do not find any reason to interfere with the matter.

4. The Letters Patent Appeal stands dismissed.

5. In view of the dismissal of the Letters Patent Appeals, the Civil Applications do not survive and stand disposed of accordingly.

[J.N. PATEL, J.]

[A.A. SAYED, J.]